

**MINUTE RECORD of Madera Unified School District Board of Education
REGULAR BOARD MEETING HELD ON THE 28TH DAY OF JUNE, 2011**

The Board of Education of the Madera Unified School District convened in a **Regular Board Meeting** in the Madera Unified School District Boardroom, 1902 Howard Road, Madera, California on **Tuesday, June 28, 2011**, at 5:30 p.m.

ROLL CALL

Robert E. Garibay, President
Ricardo Arredondo, Clerk

Lynn Cogdill, Trustee
Jose Rodriguez, Trustee
Michael Salvador, Trustee
Ray G. Seibert, Trustee
Maria Velarde-Garcia, Trustee

Gustavo Balderas, Superintendent
Kelly Porterfield, Associate Superintendent, Business and Operations
Deborah A. Wood, Associate Superintendent, Educational Services
Jake Bragonier, Public Information Officer
Teri Bradshaw, Director, Fiscal Services
Mike Lennemann, Director, Human Resources
Robert Chavez, Chief Academic Officer
Janet Morgan, Senior Administrative Assistant

Gladys Wilson, Interpreter
Carsten Christiansen, Principal, Alpha Elementary
Lupe Rodriguez, Director, Maintenance & Operations
Marisa DiMauro, Director, Categorical Programs
Kent Albertson, Principal, Madera High School
Sandon Schwartz, Principal, Madera South High School
Jennifer Gaviola, Director, Special Services
Brett Moglia, Security Supervisor

Andi Albertson, CSEA President

There were approximately 50 visitors/District employees in attendance.

1. Call to Order of Public Meeting - Closed Session Immediately Convened

President Garibay called the Public Session of the Board of Education to order at 5:30 p.m. and immediately adjourned to Closed Session pursuant to Government Code Sections 54957, 54957.1, and 54957.6, and Education Code Sections 35146, 44951, 48900, and 48918.

2. Reconvene Public Session/Call to Order Regular Meeting

3. Pledge of Allegiance, Opening, Acknowledgement of Visitors and Media, and Invocation

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President Garibay adjourned the Closed Session at 7:00 p.m. and reconvened the Regular Meeting by calling the Public Session to order at 7:07 p.m. President Garibay welcomed visitors and Gustavo Balderas the new Superintendent of Madera Unified and then asked Trustee Salvador to lead the flag salute. President Garibay asked Chaplain Jim Adair of Madera County Jail to lead the invocation. President Garibay explained the rules governing the Board meeting. The meeting was recorded on Audio File No. 27-2010/11.

4. Closed Session Reportable Actions (Government Code Section 54957.1)

Superintendent Balderas announced there were no reportable Closed Session actions.

5. Adoption of Agenda – Motion No. 185-2010/11

President Garibay stated that if the Board and/or Administration determined they wished to add to the Agenda under Miscellaneous Items, this would be the appropriate time.

Associate Superintendent Porterfield asked the Board to add Business and Operations Reports to Agenda Item 10B.

Trustee Cogdill asked that Agenda Item 7A11 be pulled for separate discussion and vote.

Trustee Velarde-Garcia asked that Agenda Item 7A12 be pulled for separate discussion and vote.

President Garibay asked that Agenda Item 7A13 be pulled for separate vote.

Director of Human Resources Mike Lennemann asked that the following changes be made to Agenda Item 7B1:

- Certificated Employment Positions #1 and #2 should state “TSA”
- Certificated Employment Positions #11 and #12 should state “Replacement”
- Certificated Employee J. Loomis declined the position and should be deleted
- Classified Employee Positions #4 and #5 effective date should be 2011/2012

It was moved by Trustee Salvador, seconded by Trustee Velarde-Garcia, and unanimously carried to adopt the Agenda as amended.

Ayes:	Trustees Cogdill, Rodriguez, Salvador, Seibert, Velarde-Garcia, Clerk Arredondo and President Garibay
Noes:	None
Absent:	None
Abstained:	None

6. Communications

6A. Public Hearing

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President Garibay opened the meeting for visitors to speak on a subject not on the Board Agenda.

Andi Albertson – CSEA president; welcomed the new Superintendent to Madera Unified and asked the Board to consider allowing CSEA to use a MUSD van for travel to Las Vegas for the annual CSEA convention from July 23rd to July 30th.

7. Approval of Consent Agenda – Motion No. 186-2010/11

Document Numbers 339-2010/11 through 354-2010/11

Commercial Warrants, Exhibit A

Staffing Changes, Exhibit B

Field Trip/Employee Conference Requests, Exhibit C

It was moved by Trustee Seibert, seconded by Trustee Salvador, and unanimously carried to approve the Consent Agenda as amended.

Ayes: Trustees Cogdill, Rodriguez, Salvador, Seibert, Velarde-Garcia, Clerk Arredondo and President Garibay
Noes: None
Absent: None
Abstained: None

7A. Routine Business Transactions, Annual Renewal of Programs, Bids, Agreements, Notices of Public Hearings, and Proclamations:

7A1. Request Approval of Regular Board Meeting Minutes of June 14, 2011

7A2. Request Approval of Agreement between Madera County Superintendent of Schools (MCSOS), Curriculum and Instruction/Key Visions High School After Program and Madera Unified School District (MUSD) to provide daily snacks to the K.E.Y. Visions After School Program at Madera High School for the period of July 1, 2011 through June 30, 2012. **DOCUMENT NO. 339-2010/11**

7A3. Request Approval of Sherman Thomas Charter School’s renewal request for five (5) years beginning on July 1, 2012 and ending on June 30, 2017. **DOCUMENT NO. 340-2010/11**

7A4. Request Approval to submit the Consolidated Application Part I for 2011-2012 fiscal year. **DOCUMENT NO. 341-2010/11**

7A5. Request Approval of Service Agreement between Paradigm Healthcare Services, LLC and Madera Unified School District (MUSD) for processing of Medi-Cal reimbursement billing for the period of July 1, 2011 to July 30, 2014. **DOCUMENT NO. 342-2010/11**

7A6. Request Approval of the Agricultural Career Technical Education Incentive Grant 2011-12 Application for funding for Madera South High School for the period of July 1, 2011 to June 30, 2012 **DOCUMENT NO. 343-2010/11**

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7A7. Request Approval of Contract for Services between Madera Unified School District (MUSD) and General Development Testing Services (GED Testing Service®). Duration of the contract is from January 1, 2012 to December 31, 2013. **DOCUMENT NO. 344-2010/11**

7A8. Request Approval of Food Service Agreement between the Governing Board of the Madera Unified School District and Sherman Thomas Charter School **DOCUMENT NO. 345-2010/11**

7A9. Request Approval of Food Service Agreement between the Governing Board of the Madera Unified School District and Madera County Office of Education **DOCUMENT NO. 346-2010/11**

7A10. Request Approval of the 2011-2012 California Interscholastic Federation (CIF) School League Representatives **DOCUMENT NO. 347-2010/11**

7A11. Request Approval of grades 7-12 Athletic Trips

Trustee Cogdill asked about bus tour companies that were used for field trips and wonders why we're not using the money spent on the tour buses to buy our own tour-type buses. Trustee Cogdill also addressed the speeding by charters drivers and stated again that he would like to revamp the MUSD fleet.

Associate Superintendent Porterfield discussed the MUSD bus replacement process and stated that he will bring a report to the Board in August.

Trustee Seibert asked if small teams use MUSD owned vans – Mr. Porterfield responded that the small teams do use our vans.

It was moved by Trustee Seibert, seconded by Trustee Cogdill, and unanimously carried to approve the Grade 7-12 Athletic Trips

Ayes: Trustees Cogdill, Rodriguez, Salvador, Seibert, Velarde-Garcia, Clerk Arredondo and President Garibay

Noes: None

Absent: None

Abstained: None

**MOTION NO. 187-2010/11
DOCUMENT NO. 348-2010/11**

7A12. Request Approval to adopt the findings, conclusions and recommendations related to the possible expulsion or readmission of pupils as these are presented to the Board in one or more of the following forms of documentation:

- Report(s) of Administrative Hearing Panel(s)
- Expulsion Status Review Report(s) by the Superintendent's Designee
- Stipulated Expulsion Agreement(s)

The Governing board is also requested to issue orders consistent with the above referenced findings, conclusions and recommendations related to the possible expulsion or readmission of pupils in the cases of the following

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students, herein identified by their District-assigned identification numbers: 5114, A-2010/11, 17084, 17536, 14184, 9058, 7560, 6613, 5665, 995246, 5084, 302344, 15790, U-2010/11, 985116, 12262, 17415, 995899, 200687, 996379, W-2010/11, 997447, 995421, 14282, 402139, 16916, 6493, 987292, 995068, 401402, 12098, 201863, 301812, 202018, 12170, 2259, 7170, 985189, 985193, 997380, 8218, 17497, 6193, 997765, 997010, 503110, 997249, 302089, 7430, 602088, 602598, 16227, 995063, 17224, 16886, 302173, 995988, 987413, 20046, 5207, 403917, 501436, 200673, 201811, 995422, 16793, 14987 and 202887.

Trustee Velarde-Garcia advised that she must recuse herself from voting on this item due to a conflict of interest.

It was moved by Trustee Salvador, seconded by Trustee Seibert, and carried by majority to adopt the findings, conclusions and recommendations as stated above.

Ayes: Trustees Cogdill, Rodriguez, Salvador, Seibert, Clerk Arredondo and President Garibay
Noes: None
Absent: None
Abstained: None
Recused: Trustee Velarde-Garcia

MOTION NO. 188-2010/11
CONFIDENTIAL DOCUMENT NO. 349-2010/11

7A13. Request Approval of Commercial Warrant Listing

President Garibay advised that he must recuse himself from voting on this item due to a conflict of interest. President Garibay handed the gavel to Clerk Arredondo who called for the vote.

It was moved by Trustee Rodriguez, seconded by Trustee Cogdill, and carried by majority to approve the Commercial Warrant Listing.

Ayes: Trustees Cogdill, Rodriguez, Salvador, Seibert, Velarde-Garcia, and Clerk Arredondo
Noes: None
Absent: None
Abstained: None
Recused: President Garibay

MOTION NO. 189-2010/11
DOCUMENT NO. 350-2010/11

7B. Human Resources Items

7B1. Request Approval of Staffing changes and Coaches DOCUMENT NO. 351-2010/11

7B2. Request Approval of Certificated Job Description: Special Education Teacher
DOCUMENT NO. 352-2010/11

7B3. Request Approval of Certificated Job Description: Teacher on Special Assignment DOCUMENT NO. 353-2010/11

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7C. Approval of Field Trip/Employee Conference Requests

DOCUMENT NO. 354-2010/11

7:10 PM – Public Hearing: 2011-12 Tier III Funding Sources and Expenditure Plan

President Garibay opened the Public Hearing at 7:27 p.m. and seeing no one come forward, closed the Public Hearing at 7:28 p.m.

7:10 PM – Public Hearing: 2011-12 Adopted Budget Proposal

President Garibay opened the Public Hearing at 7:28 p.m.

- Ron Montoya, 1828 Pierce Lane, parent: stated that he feels academic coaches in the classroom are a distraction and feels that should be the job of the principal and vice principal; Mr. Montoya also addressed the issue of aides being laid off.
- Andi Albertson, CSEA President; commented on her attendance at the Budget Committee Meeting; Ms. Albertson stated she understands the idea of classroom coach but agrees that they are a distraction; addressed the 30% penalty we will be assessed in 2013/14 for overcrowded K-3 classrooms; and discussed the classroom aide lay-off.

Seeing no one else come forward, President Garibay closed the Public Hearing at 7:32 p.m.

7:10 PM – Public Hearing: Madera Unified Teachers Association (MUTA) Initial Negotiation Proposal to Madera Unified School District (MUSD) for 2011-12

President Garibay opened the Public Hearing at 7:32 p.m.

- Ron Montoya, 1828 Pierce Lane, parent; spoke about a budget being adopted by Madera Unified without a state budget being adopted.

Seeing no one else come forward, President Garibay closed the Public Hearing at 7:35 p.m.

Superintendent Balderas took this opportunity to announce the retirement of the following employees and thank them for their years of service to the community:

- Alice Badorine, Teacher, 38 years of service
- Moira Farrelly, Teacher, 26 years of service
- Estela Rios, Paraprofessional Aide, 25 years of service
- Beverly Ash, Administrative Asst. II, 23 years of service
- Greg Arreazola, Maintenance II, 22 years of service

Director of Human Resources Mike Lennemann introduced Carsten Christiansen, Principal of Alpha Elementary who introduced his new Vice Principal, Michelle Watson; Sandon Schwartz, Principal of Madera South High School who introduced his new Vice Principal, Oracio Rodriguez; and Kent Albertson, Principal of Madera High School who introduced his new Vice Principal, Jennifer Gaviola.

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8. Old Business

8A. Request Approval of 2011-12 Tier III Funding Sources and Expenditure Plan

Director of Fiscal Services Teri Bradshaw provided a PowerPoint presentation of this item.

Following the presentation Bill Coate of the Madera Tribune asked clarifying questions for purposes of reporting to the public.

It was moved by Trustee Velarde-Garcia, seconded by Trustee Salvador, and unanimously carried to approve the 2011-12 Tier III Funding Sources and Expenditure Plan

Ayes: Trustees Cogdill, Rodriguez, Salvador, Seibert, Velarde-Garcia, Clerk Arredondo and President Garibay
Noes: None
Absent: None
Abstained: None

**MOTION NO. 190-2010/11
DOCUMENT NO. 355-2010/11**

8B. Review and Request Approval of the 2011-12 Adopted Budget

Kelly Porterfield opened by welcoming Superintendent Balderas to Madera Unified and then provided a handout titled "Details on the Budget Trigger Mechanism". Mr. Porterfield stated that the state budget was expected to be passed within the next few hours and that once this budget is passed staff will come back with additional information within the next 45 days.

Mr. Porterfield indicated that the presentation by Mrs. Bradshaw this evening would focus only on changes that were made in this budget since the presentation at the last Board meeting.

Prior to introducing Mrs. Bradshaw, Mr. Porterfield asked the Board for questions. Trustee Salvador addressed Tier II cuts and issues raised with the language coming out of Sacramento regarding reducing the school year by more days. Mr. Porterfield discussed the issues faced in making those changes without collective bargaining and added that we need more detail from Sacramento. Mr. Porterfield went on to say that we have a plan for the worst case scenario.

Mr. Porterfield then introduced Mrs. Bradshaw who directed the Board's attention to the 3 PowerPoint slides added since the first review of the budget at the June 14th meeting. Mr. Porterfield then directed the Board's attention to the multi-year budget and addressed the challenges we are facing. We will have work to do with the Board and community meetings to establish priorities.

President Garibay asked Mrs. Bradshaw to explain why we are adopting a budget tonight. She explained that we are required to adopt a budget by June 30th; we then have 45 days to modify and adopt again.

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Trustee Cogdill asked about the 30% penalty for overcrowded classrooms. Mr. Porterfield explained that the penalty at this time is less than the savings realized by the district.

Trustee Cogdill also commented on the Tier II transportation reductions. Mr. Porterfield added that Sacramento is talking about not funding transportation – it is not a statutory requirement to provide transportation. Should Sacramento eliminate funding for transportation we would have a greater encroachment on the general fund.

Bill Coate asked a clarifying question regarding the Tier II reductions regarding ADA.

It was moved by Trustee Seibert, seconded by Trustee Cogdill, and unanimously carried to Approve the 2011-12 Adopted Budget

Ayes: Trustees Cogdill, Rodriguez, Salvador, Seibert, Velarde-Garcia, Clerk Arredondo and President Garibay

Noes: None

Absent: None

Abstained: None

MOTION NO. 191-2010/11
DOCUMENT NO. 356-2010/11

9. New Business

There were no items this evening.

10. Information and Reports

10A. Human Resources

Madera Unified School District (MUSD) Initial Negotiation Proposal to Certificated Management Bargaining Association (CMBA) for 2011-12

Madera Unified School District (MUSD) Initial Negotiation Proposal to California School Employees Association (CSEA) for 2011-12

Mike Lennemann briefly presented both items and indicated that they will be available for review in the office of Human Resources as of 8:00 a.m. tomorrow morning.

10B. Business & Operations

Associate Superintendent Porterfield took this opportunity to present information to the Board regarding use of district-owned vehicles for non-district sponsored events. Mr. Porterfield provided the Board with advice from legal counsel regarding “gift of public funds”, exposure, and transportation for outside groups. The other argument would be to ask the question “is there a public good associated with the use requested.”

Staff recommends that we do not provide services for the purposes requested.

Trustee Cogdill commented that he knows the union (CSEA) going to their conference would benefit the students in the district and further commented on the NAACP event, Act So which is the event that BSU (a school club) students will be attending. Mr. Cogdill asked if the BSU were asking for the van rather than NAACP and BSU did

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fundraising and can pay for the van, do they have an advisor who is qualified through transportation to drive a district van.

Clerk Arredondo asked that assuming Act So is a BSU event, has this happened before (providing district-owned vans). Mr. Porterfield responded that BSU can use the van through normal channels. Mr. Porterfield stated that he would work with Luther Slack of the NAACP on the details.

Andi Albertson, CSEA President clarified that CSEA has the funds to pay for the use of the van.

Renee Marshall, CSEA Vice President commented on administration using the vans and wants the same playing field offered to administration in use of the vans.

Mr. Porterfield responded that when administration uses the vans they are conducting school business.

Cece Foley, Teacher, Madera Unified spoke in favor of the van for BSU/NAACP event.

President Garibay asked if it was the consensus of the board to work something out for CSEA.

Following further discussion, Mr. Porterfield stated he would review policy and bring information back to the Board.

11. Announcements

Staff and Board members will be attending the School Services of California budget workshop in Fresno on Friday, July 15th.

12. Miscellaneous

President Garibay stated that he would like to implement a “topic card” to be completed by audience members. The cards would be completed and turned in prior to the start of the meeting. President Garibay feels that this would bring more order to the meeting and would prevent multiple people from speaking on the same subject. President Garibay would like to use this at the July 19th meeting.

John Seybold MUTA; stated that if this were the case the audience would not be able to discuss this particular subject because they would not know it was going to be discussed.

President Garibay explained that Information and Report items are being made to the Board and that the public has to remember that this is the Board’s meeting held in public.

Following further discussion by Trustees, Clerk Arredondo asked if the Trustees would like to see a modified version of the system introduced by President Garibay.

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Consensus of the Board is to use a modified version of the card system. President Garibay and Clerk Arredondo will work with Superintendent Balderas regarding streamlining the original suggestion.

12B. Superintendent's Time

Superintendent Balderas stated that he will be contacting Board members of to set up a Board Governance Training at no cost to the District.

During the 2nd week in July, Superintendent Balderas will be setting aside time to meet with community members in his office. This opportunity will be posted on the MUSD website and will also be announced in the Madera Tribune.

Superintendent Balderas had the opportunity to drop in on the Promethean Board training held for teachers who attended this on their own time and complimented Kim Imrie, the District's Coordinator of Instructional Technology for organizing this training. The Superintendent thanked staff for their hard work and thanked the Board for their confidence in his selection as Superintendent of Madera Unified School District.

Trustee Arredondo commented on the awards banquet he attended at Chukchansi this past week where grants were awarded to Sherman Thomas and to the Monroe Elementary Museum. Trustee Arredondo also talked about the Chukchansi sponsored Double Eagle golf tournament coming up in July that will benefit area non-profits.

13. Advanced Planning

President Garibay made the following announcement:

Next Regular Board Meeting

Tuesday, Tuesday, July 19, 2011 at 7:00 p.m.

Madera Unified School District Boardroom - 1902 Howard Road, Madera, CA 93637

14. Suggested Future Agenda Items

Trustee Seibert would like to see a Dean of Students at the high schools to free up vice principals to do the work they should be doing. Trustee Seibert would like to discuss the need and the process for the future.

Trustee Cogdill wants information on the benefits of hiring a grant researcher and a grant writer. President Garibay asked staff to look into it and report back.

Trustee Rodriguez asked for a report on funding for parental involvement - what's new, what are we doing this next year, etc.

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Trustee Velarde-Garcia asked if we have a Mixteco interpreter. Marisa DiMauro responded that Timoteo Mendoza is available for parent conferences or special IEPs. There is also a firm in Fresno we can utilize for other languages.

15. Adjournment - Motion No. 192-2010/11

President Garibay adjourned the Public Session at 9:06 p.m.



Janet Morgan, Senior Administrative Assistant
to the Superintendent and Board of Trustees

Dated: June 28, 2011